

**THE COUNTY BULLETIN  
and Uniform Compliance Guidelines  
ISSUED BY THE STATE BOARD OF ACCOUNTS**

Vol. No. 324

July 1999

## **SPECIAL EDITION**

### **NEW LAWS AFFECTING VARIOUS COUNTY OFFICES**

The following is a digest of some of the laws passed by the 1999 Regular session of the General Assembly affecting various offices in county government. Some of the laws do not pertain directly to a particular county office, but are included in this digest for ready reference to the covered subject matter.

The digest is not intended as an expression of legal interpretations, nor is the digest intended to be all inclusive. Reference in the digest will be to the Indiana Code in the following form (Amends IC 33-17-10-5) which means (Amends Indiana Code, Title 33, Article 17, Chapter 10, Section 5). Please note the effective date on each law.

#### **PUBLIC LAW 3 - HOUSE ENROLLED ACT 1074 - EFFECTIVE JULY 1, 1999 - JACKSON COUNTY INNKEEPER'S TAX**

Adds IC 6-9-32 that creates a new innkeeper's tax in Jackson County.

#### **PUBLIC LAW 6 - HOUSE ENROLLED ACT 1304 - EFFECTIVE JULY 1, 1999 - REQUISITE NOTICES FOR OPENING SAFE DEPOSIT BOXES AND PAYMENT OF LIFE INSURANCE PROCEEDS**

Amends IC 6-4.1-8-5 to remove the requirement to notify the State Department of Revenue or the County Assessor prior to opening a decedent's safe deposit box.

Repeals IC 6-4.1-8-6 and IC 6-4.1-8-8.

#### **PUBLIC LAW 16 - SENATE ENROLLED ACT 450 - EFFECTIVE JANUARY 1, 2000 - GRAVE MARKERS FOR MEMBERS OF THE UNITED STATES ARMED FORCES**

Amends IC 10-5-3-1 to authorize the county commissioners to make an allowance up to \$100 for the setting of a grave marker provided by the federal government.

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**PUBLIC LAW 26 - SENATE ENROLLED ACT 28 - EFFECTIVE JULY 1, 1999 - RESIDENCY REQUIREMENTS FOR JUDGES AND PROSECUTING ATTORNEYS**

Amends IC 33-5-3.5-1 and adds IC 33-5-3.5-7 to state that in order to be eligible to hold office as a judge of a superior court, a person must be a resident of the judicial circuit that the judge serves.

Amends IC 33-8-2-3 to state that to be eligible to hold office as a judge of the St. Joseph Probate Court, a person must be a resident of St. Joseph County.

Amends IC 33-10.5-4-1 to require a person to be a resident of the county that is served to be eligible to serve as a county court judge.

Adds IC 33-14-1-1.5 that states to be eligible to hold office as a prosecuting attorney, a person must be a resident of the judicial circuit that the person serves.

A judge of a superior, probate, or county court on the effective date of this section is exempt from a residency requirement imposed by IC 33-5-3.5-7, IC 33-8-2-3, or IC 33-10.5-4-1 during the remainder of the judge's current term of office.

**PUBLIC LAW 35 - HOUSE ENROLLED ACT 1025 - EFFECTIVE JULY 1, 1999 - STATE BOARD OF ACCOUNTS CALLED MEETINGS**

Amends IC 5-11-14-1 to allow officials attending a state called meeting to be reimbursed for mileage at a rate set by the county fiscal body. Further, it allows an official to be reimbursed for lodging expense in an amount equal to the hotel's single room rate. The subsistence allowance has been removed from this section of the code.

**PUBLIC LAW 38 - HOUSE ENROLLED ACT 1079 - EFFECTIVE VARIOUS DATES - ELECTIONS**

Amends several chapters of IC 3-11, IC 3-12, and IC 3-13.

**PUBLIC LAW 41 - HOUSE ENROLLED ACT 1164 - EFFECTIVE JULY 1, 1999 - VIGO COUNTY INNKEEPER'S TAX**

Amends IC 6-9-11-6 to give the county council the authority to increase the tax from a rate not to exceed 2% to a rate not to exceed 5%.

**PUBLIC LAW 53 - HOUSE ENROLLED ACT 1367 - EFFECTIVE JULY 1, 1999 MECHANICS' LIEN ON REAL ESTATE**

Amends IC 32-8-3-3 to extend the time in which a sworn statement of the person's intention to hold a mechanic's lien may be filed with the county recorder from 60 to 90 days, except a lien for construction, alteration, or repair of a one or two family dwelling unit or related improvements (which remains at 60 days).

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**PUBLIC LAW 60 - HOUSE ENROLLED ACT 1544 - EFFECTIVE JANUARY 1, 1999 (RETROACTIVE) -  
LOCAL ENVIRONMENTAL RESPONSE FINANCING**

Adds IC 36-7-29-22.5 to authorize a special taxing district to impose a lien on the property after removal or remedial action is initiated under this chapter. To perfect a lien the district at least 30 days prior to filing notice of the lien in the office of the county recorder, must provide written notice, of the date on which the district intends to impose a lien, by certified mail. The county recorder is to receive a copy of this written notice.

When a notice of a lien is presented to the county recorder for filing, the county recorder shall enter the lien in the entry book and in the miscellaneous record. The entries must show the following:

- (1) The date of filing
- (2) The book and page number or instrument number
- (3) The name of the person named in the notice
- (4) A legal description of the property if appropriate
- (5) A serial number or other identifying number given in the notice

After the notice of a lien is filed, the district shall provide notice of the filing of the lien by certified mail.

When a certificate of discharge of lien is issued by the board or its representative and presented for filing in the office of the county recorder, the county recorder shall record the certificate as a release of the lien. The certificate must refer to the county recorder's book and page number or instrument number under which the lien was recorded. Margin entries are to be made in each entry to record the lien to reference the place where the release is recorded. The release is considered a full release unless the references to the release specifically note the release as a partial release.

A lien created under this chapter continues until the earlier of (1) the full discharge of the lien or (2) the expiration of a 20 year period from the date of the creation of the lien, unless action to foreclose the lien is pending.

**PUBLIC LAW 64 - HOUSE ENROLLED ACT 1618 - EFFECTIVE JULY 1, 1999 - OLD OUTSTANDING  
WARRANTS**

Amends IC 5-11-10.5-2 to state that warrants outstanding and unpaid for a period of 2 or more years as of the last day of December of each year are void instead of canceled. Additionally, IC 5-11-10.5-6, which authorizes the replacement of an old outstanding warrant if a proper claim is filed within 7 years, is repealed.

**PUBLIC LAW 70 - HOUSE ENROLLED ACT 1002 - EFFECTIVE JULY 1, 1999 - PUBLIC ACCESS  
COUNSELOR**

Amends IC 5-14-3 and adds IC 5-14-4 and IC 5-14-5. The state office of the public access counselor is created. Inquiry and complaint procedures for the office are established. The public access counselor is required to issue advisory opinions within 30 days of the filing of a complaint and is to provide the county with a copy of the opinion if the complaint was filed against a county. The public access counselor is to provide training on the rights of the public and the responsibilities of public agencies under the public access laws. These statutes also require a court to expedite the hearing of an action filed under the open door law or the public records law.

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**PUBLIC LAW 86 - HOUSE ENROLLED ACT 1155 - EFFECTIVE JULY 1, 1999 - INCORPORATION OF A TOWN ACROSS COUNTY BOUNDARIES**

Amends IC 36-5-1 to state that proceedings to incorporate a town across county boundaries must have the approval of the county executive of each county that contains a part of the proposed town. Each county that contains a part of the proposed town must adopt identical ordinances providing for the incorporation of the town.

**PUBLIC LAW 93 - HOUSE ENROLLED ACT 1428 - EFFECTIVE JULY 1, 1999 - ENHANCED EMERGENCY TELEPHONE SYSTEM**

Amends IC 36-8-16-2 and IC 36-8-16-16 to allow computerized warning system equipment to be purchased from the emergency telephone fund. Limits are placed on the use of customer data provided to a county by a service supplier which identifies the telephone location or service user, or both.

**PUBLIC LAW 100 - HOUSE ENROLLED ACT 1522 - EFFECTIVE JULY 1, 1999 - CEMETERY PRESERVATION**

Adds IC 14-21-2 that requires a person who lawfully removes a grave memorial to file the form prescribed by the State Board of Accounts in the office of the county recorder of the county where the grave memorial was located before its removal. The prescribed form is to be available to the public in each local health department office.

**PUBLIC LAW 102 - HOUSE ENROLLED ACT 1555 - EFFECTIVE UPON PASSAGE - TAX INCREMENT FINANCING FOR MARION COUNTY**

Amends IC 36-7-15.1-7, IC 36-7-15.3, and IC 36-7-25. Adds IC 36-7-15.1-37 through IC 36-7-15.1-58 which create redevelopment districts in the excluded cities within Marion County.

**PUBLIC LAW 112 - HOUSE ENROLLED ACT 1748 - EFFECTIVE JANUARY 1, 1999 (RETROACTIVE) - ECONOMIC REVITALIZATION AREAS**

Noncode section that allows property owners within economic revitalization areas to receive additional deductions for taxes overpaid in previous years for a period not to exceed two years.

**PUBLIC LAW 123 - SENATE ENROLLED ACT 150 - EFFECTIVE MARCH 1, 1999 (RETROACTIVE) - PROPERTY TAX DEDUCTION FOR VETERANS**

Amends IC 6-1.1-12-13, IC 6-1.1-12-14, and IC 6-1.1-12-15 to allow the county auditor to accept the appropriate certificate of eligibility issued to the individual by the Indiana Department of Veterans' Affairs if the individual claims a deduction provided by these sections of this chapter.

The deduction applies to property taxes first due and payable after December 31, 1999.

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**PUBLIC LAW 124 - SENATE ENROLLED ACT 166 - EFFECTIVE MAY 3, 1999 - COUNTY ECONOMIC DEVELOPMENT INCOME TAX (CEDIT) FOR HANCOCK COUNTY**

Amends IC 6-3.5-7-12, IC 6-3.5-7-13.1, and adds IC 6-3.5-7-23 to allow the Hancock County Council to designate CEDIT revenue that is generated by a tax rate of less than or equal to .15% for library property tax replacement purposes.

**PUBLIC LAW 125 - SENATE ENROLLED ACT 217 - EFFECTIVE JANUARY 1, 1998 (RETROACTIVE) - ASSESSED VALUE DEDUCTION AND HOMESTEAD CREDIT**

Amends IC 6-1.1-12-17.8 and IC 6-1.1-20.9-3 to state that an individual who receives the deduction or credit for property that is jointly held with another owner in a particular year and remains eligible for the deduction or credit in the following year is not required to file a statement to reapply following the removal of the joint owner if:

- (1) the individual is the sole owner of the property following the death of the individual's spouse;
- (2) the individual is the sole owner of the property following the death of a joint owner who was not the individual's spouse; or
- (3) the individual is awarded sole ownership of property in a divorce decree.

Both of these code sections as amended apply to property taxes first due and payable after December 31, 1997. An individual is entitled to a refund for the payment of property taxes attributable to the denial of an assessed value deduction listed in IC 6-1.1-12-17.8 or the denial of the homestead credit under IC 6-1.1-20.9 after the removal of a joint owner in a circumstance described above.

**PUBLIC LAW 134 - HOUSE ENROLLED ACT 1431 - EFFECTIVE JULY 1, 1999 - INVESTMENTS**

Amends IC 5-13-9-1 and adds IC 5-13-9-2.4 and IC 5-13-9-2.5 to allow county treasurers to invest in money market mutual funds that are in the form of securities of or interest in an open end, no load, management type investment company or investment trust registered under the provisions of the federal Investment Company Act of 1940.

Investments may not exceed fifty percent (50%) of the funds held by the officer and available for investment.

The investments shall be made through depositories designated by the State Board of Finance as depositories for state deposits under IC 5-13-9.5.

The portfolio of an investment company or investment trust must be limited to the following:

- (1) Direct obligations of the United States
- (2) Obligations issued by any of the following
  - (A) A federal agency
  - (B) A federal instrumentality
  - (C) A federal government sponsored enterprise
- (3) Repurchase agreements fully collateralized by obligation described in (1) or (2).

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**PUBLIC LAW 134 - HOUSE ENROLLED ACT 1431 - EFFECTIVE JULY 1, 1999 - INVESTMENTS -  
(Continued)**

The form of securities of or interest in an investment company or investment trust must be rated as one of the following:

- (1) AAAm, or its equivalent, by Standard and Poor's Corporation or its successor.
- (2) Aaa, or its equivalent, by Moody's Investors Service, Inc. or its successor.

The form of securities in an investment company or investment trust is considered to have a stated final maturity of one day.

The State Board of Accounts may rely on transaction confirmations evidencing ownership of the form of securities of or interests in an investment company or investment trust.

**PUBLIC LAW 141 - SENATE ENROLLED ACT 85 - EFFECTIVE UPON PASSAGE - MEDICAL CARE  
EXPENSES OF A PERSON COMMITTED TO A COUNTY JAIL**

Adds IC 11-12-5-6 to provide medical care expenses for a county jail inmate. Medical care expenses are expenses relating to the following services provided to a county jail inmate:

- (1) Medical care;
- (2) Dental care;
- (3) Eye care;
- (4) Any other health care related service.

The medical care expenses of a person committed to a county jail by another county are the responsibility of the committing county. The medical care expenses of a person committed to a county jail by the department of correction are the responsibility of the department of correction.

**PUBLIC LAW 142 - SENATE ENROLLED ACT 94 - EFFECTIVE DECEMBER 31, 1998 (RETROACTIVE)  
- Y2K IMMUNITY**

Amends IC 34-13-3-3 to provide that a governmental entity or an employee acting within the scope of the employee's employment is not liable if a loss results from an error resulting from or caused by a failure to recognize the year 1999, 2000, or subsequent year, including an incorrect date or incorrect mechanical or electronic interpretation of a date, that is produced, calculated, or generated by:

- (A) a computer;
- (B) an information system; or
- (C) equipment using microchips;

that is owned or operated by a governmental entity. However, this does not apply to acts or omissions amounting to gross negligence, willful or wanton misconduct, or intentional misconduct. Evidence of gross negligence may be established by a party by showing failure of a governmental entity to undertake an effort to review, analyze, remediate, and test its electronic information systems or by showing failure of a governmental entity to abate, upon notice, an electronic information system error that caused damage or loss.

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**PUBLIC LAW 151 - SENATE ENROLLED ACT 321 - EFFECTIVE JULY 1, 1999 AND JANUARY 1, 2000 -  
COPY FEES, RECORDING FEES, AND BULK FORM COPIES**

Amends IC 5-14-3-8 regarding copy fees. States that a certification, copy, or facsimile transmission fee set by ordinance of the county council may not exceed the actual cost of certifying, copying, or facsimile transmission of the document. Actual cost means the cost of paper and the per-page cost for use of copying or facsimile equipment, and does not include labor costs or overhead costs.

Amends IC 36-2-7-10 regarding recorder's fees. Deletes the provision for the county recorder to collect \$3 per page for furnishing typewritten copies of records. Also, deletes the charge of \$.50 per page for proofreading any copy presented for certification. States that a supplemental fee of \$3 for recording a document is paid at the time of recording and makes the supplemental fee uniform and required for all counties. The supplemental fee is still in addition to other fees provided by law for recording a document.

Adds IC 36-2-7-10.1 regarding bulk form copies. Under this section, bulk form means: a copy of all recorded documents received by the county recorder for recording in a calendar day, week, month, or year; the indices for finding, retrieving, and viewing all recorded documents received by the county recorder for recording in a calendar day, week, month, or year; or both. A copy, as used in this section means duplicating electronically stored data onto a disk, tape, drum, or any other medium of electronic data storage; or reproducing on microfilm. The county recorder shall charge for bulk form copies:

- (1) Five cents per page for a recorded document, including the index of the instrument number or book and page, or both, for retrieving the recorded document.
- (2) Five cents per recorded document for a copy of the other indices used by the county recorder for finding, retrieving, and viewing a recorded document.

The county recorder may charge a fee that exceeds these amounts if the actual cost of providing the bulk form copies exceeds the amount established above. Again actual cost does not include labor or overhead costs and the total amount charged for the bulk form copies may not exceed the actual cost plus one cent of providing the bulk form copies. The county recorder shall provide bulk form copies in the format or medium in which the county recorder maintains the recorded documents and indices. If the county recorder maintains the recorded documents and indices in more than one format or medium, the user may select the format or medium in which to receive the bulk form copies. All revenue generated by the county recorder under this section shall be deposited in the recorder's record perpetuation fund.

**PUBLIC LAW 153 - SENATE ENROLLED ACT 429 - EFFECTIVE JULY 1, 1999 - PUBLIC PURCHASES**

Amends IC 5-22-15 to state that the price preference for supplies containing recycled materials may not be less than 10% or greater than 15%.

Amends IC 5-22-17-4 to allow contracts with escalation clauses to be renewed any number of times.

Adds IC 5-22-15-23 to require a 15% price preference be given to Indiana Small Businesses.

Amends IC 5-3-1-2 to change the time for second publication to at least 7 days before the date the bids will be received from the previous requirement of 10 days.

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**PUBLIC LAW 154 - SENATE ENROLLED ACT 447 - EFFECTIVE JULY 1, 1999 - PROPERTY TAX  
PENALTIES AND SPECIAL ASSESSMENTS CERTIFICATION DATES**

Amends IC 6-1.1-37-10 to state that a 10% penalty shall be added to the unpaid portion of property taxes in the year of the initial delinquency and on the day immediately following the due dates in May and November of each year following the year of initial delinquency.

Adds IC 36-2-6-14.5 to state that notwithstanding any other provision of the law, a special assessment required to be certified to the county auditor and added to the tax duplicate by law shall be certified within each county on or before a uniform date or a date established by the legislative body of the county. If the legislative body of the county does not establish a date for the certification, a special assessment required to be certified to the county auditor, by law, shall be certified on or before March 1.

**PUBLIC LAW 155 - SENATE ENROLLED ACT 465 - EFFECTIVE VARIOUS DATES - REAL PROPERTY  
OR MOBILE HOME, AGE 65 DEDUCTION**

Effective January 1, 1999 (Retroactive) - Amends IC 6-1.1-12-9 to raise the income limitation from \$20,000 to \$25,000 for the year preceding the year in which the deduction is claimed. The assessed value of the real property or mobile home cannot exceed \$23,000 instead of \$21,000. The individuals deduction equals the lesser of:

- (1) one half of the assessed value of the real property(or mobile home); or
- (2) two thousand dollars (\$2,000).

Effective March 2, 2001 (Delayed Version) - Amends IC 6-1.1-12-9 to allow the deduction for individuals who meet the income limitation whose real property or mobile home has an assessed value that does not exceed \$69,000. The individuals deduction equals the lessor of:

- (1) one half of the assessed value of the real property (or mobile home); or
- (2) six thousand dollars (\$6,000).

**PUBLIC LAW 168 - SENATE ENROLLED ACT 83 - EFFECTIVE JULY 1, 1999 - STORMWATER  
RUNOFF**

Adds IC 36-9-28.5 to require the legislative body of the county to establish a policy for the management of stormwater runoff from developed real property in the county by January 1, 2001. In a county, the geographic scope of the county's policy must include:

- (1) all territory of the county that is not located within a municipality; and
- (2) all territory of a town located in the county that has adopted a resolution that the territory of the town be included in the policy of the county.

**PUBLIC LAW 174 - SENATE ENROLLED ACT 592 - EFFECTIVE JULY 1, 1999 - ASSET FORFEITURE**

Adds IC 34-24-1-9 to state that money received by a law enforcement agency as a result of a forfeiture under regulations adopted by the U.S. Department of Justice must be deposited into a nonreverting fund and may be expended by a local law enforcement agency. The money received must be used solely for the benefit of any agency directly participating in the seizure or forfeiture for purposes consistent with federal laws and regulations.



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**PUBLIC LAW 176 - SENATE ENROLLED ACT 109 - EFFECTIVE VARIOUS DATES - ELECTIONS AND OFFICERS' DEPUTIES**

Amends several articles of Title 3 on election procedures.

Effective January 1, 1999 (Retroactive) - Amends IC 5-4-1-1 and IC 5-6-1-2 to state that an individual appointed as a deputy is considered an employee of the political subdivision performing ministerial functions on behalf of an officer and is not required to take the prescribed oath. However, if a chief deputy assumes the duties of an office during a vacancy, the chief deputy must take the required oath before entering on the official duties of the office.

Effective Upon Passage - Adds IC 5-6-4 to state that for purposes of Article 2, Section 9 of the Constitution of the State of Indiana, the position of appointed deputy of an officer of a political subdivision or a judicial circuit is not a lucrative office.

**PUBLIC LAW 178 - HOUSE ENROLLED ACT 1448 - EFFECTIVE JULY 1, 1999 - STATE DISASTER RELIEF FUND**

Adds IC 10-4-1-29 that establishes the state disaster relief fund. The fund is to be used to provide money to assist eligible entities, including counties, in paying for the costs of damage to public facilities resulting from disasters. The fund is to be administered by the Indiana State Emergency Management Agency. The agency is to use the money in the state disaster relief fund to make grants to an eligible entity that:

- (1) contains territory for which a disaster emergency has been declared by the governor;
- (2) has suffered damage to the entity's public facilities because of the disaster for which the disaster emergency was declared;
- (3) has applied to the agency for a grant; and
- (4) complies with all other requirements established by the agency.

**PUBLIC LAW 181 - HOUSE ENROLLED ACT 2022 - EFFECTIVE JANUARY 1, 2000 - COMMERCIAL VEHICLE EXCISE TAX**

Adds IC 6-6-5.5 and amends IC 6-1.1-2-7, IC 6-8.1, IC 9-14-1-4, IC 9-18-2, IC 9-18-9, IC 9-29-3, IC 12-13-8, IC 12-16-14, IC 12-19-4, IC 21-2-12, IC 21-3-1.7 to create a new excise tax on commercial vehicles.

**PUBLIC LAW 191 - SENATE ENROLLED ACT 1 - EFFECTIVE JULY 1, 1999 - PUBLIC ACCESS COUNSELOR**

Amends IC 5-14-3 and adds IC 5-14-4 and IC 5-14-5. The state office of the public access counselor is created. Inquiry and complaint procedures for the office are established. The public access counselor is required to issue advisory opinions within 30 days of the filing of a complaint and is to provide the county with a copy of the opinion if the complaint was filed against a county. The public access counselor is to provide training on the rights of the public and the responsibilities of public agencies under the public access laws. These statutes also require a court to expedite the hearing of an action filed under the open door law or the public records law.

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**PUBLIC LAW 202 - HOUSE ENROLLED ACT 1313 - EFFECTIVE VARIOUS DATES - ELECTIONS**

Amends and adds to several articles in Title 3 dealing with election matters.

**PUBLIC LAW 208 - HOUSE ENROLLED ACT 1458 - EFFECTIVE VARIOUS DATES - VANDERBURGH COUNTY INNKEEPER'S TAX**

Effective July 1, 1999 - Amends IC 6-9-2.5-7, and IC 6-9-2.5-7.5 to state that the County Treasurer shall establish a convention and visitor promotion fund and a tourism capital improvement fund before January 1, 2000.

Effective January 1, 2000 - Adds IC 6-9-2.5-7.7 that requires the County Treasurer to establish a convention center operating fund. This section expires January 1, 2006.

**PUBLIC LAW 213 - HOUSE ENROLLED ACT 1590 - EFFECTIVE VARIOUS DATES - CHILD SUPPORT ENFORCEMENT SERVICES**

Effective July 1, 1999 - Amends IC 12-17-2-18 and IC 12-17-2-18.5 to allow a prosecuting attorney with which the child support bureau contracts to contract with a private organization to provide child support enforcement services.

Effective October 1, 1999 - Amends IC 12-17-2-26 to add that amounts received as incentive payments must be used to supplement, rather than take the place of, other funds used for Title IV-D program activities.

Effective July 1, 1999 - Amends IC 31-14-11-15 and 31-16-9-3 to state that in addition to other information previously required the clerk of the court shall be informed of the social security number of any child affected by the courts order. The social security number required under these sections shall be kept confidential and used only to carry out the purposes of the Title IV-D program.

Effective July 1, 1999 - Amends IC 31-18-2-7, IC 31-18-3-4, IC 31-18-3-7, IC 31-18-5-1, IC 31-18-5-2, IC 31-18-6-3, IC 31-18-6-6, IC 31-18-6-11, and IC 31-18-7-1. Adds IC 31-18-2-7.5, IC 31-18-5-1.1, IC 31-18-6-2.1, IC 31-18-6-2.2, IC 31-18-6-2.3, IC 31-18-6-13, and repeals IC 31-18-1-22 regarding controlling support orders and foreign support orders.

**PUBLIC LAW 217 - HOUSE ENROLLED ACT 1608 - EFFECTIVE JULY 1, 1999 - ANNEXATION**

Amends IC 36-4-3-19 and IC 36-4-3-22 to state that if the county auditor receives a judgement for disannexation or an annexation ordinance for which there was no appeal or remonstrance, the county auditor is to forward a list of lots and lands disannexed or a copy of the annexation ordinance whichever is applicable to the following:

- (1) the county highway department of each county in which the lots or lands affected are located;
- (2) the county surveyor of each county in which the lots or lands affected are located;
- (3) the plan commission, if any, that lost or gained jurisdiction;
- (4) the sheriff of each county in which the lots or lands affected are located;
- (5) the township trustee of each township that lost or gained jurisdiction;
- (6) the office of the Secretary of State.

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**PUBLIC LAW 241 - SENATE ENROLLED ACT 32 - EFFECTIVE JANUARY 1, 2000 - COUNTY SURVEYOR'S CORNER PERPETUATION**

Amends IC 36-2-7-10 to increase the fee collected by the county recorder for the county surveyor's corner perpetuation fund from \$1 to \$5. This fee is still to be collected for each deed recorded and it is in addition to other fees for deeds.

**PUBLIC LAW 242 - SENATE ENROLLED ACT 47 - EFFECTIVE JULY 1, 1999 - COUNTY MISDEMEANANT FUND**

Amends IC 11-12-6-2, IC 11-12-6-6, IC 11-12-6-13, and IC 11-12-6-14 to change the name of the county corrections fund to the "county misdemeanor fund." Deposits to the county misdemeanor fund will be made prior to September 1 of each year after 1998 (instead of before June 30). Notice of the amount of money appropriated for all county misdemeanor funds and the amount to be deposited to the county misdemeanor fund for the year will be sent to the county executive and the sheriff.

Adds IC 11-12-6-3.5, IC 11-12-6-4.5, and IC 11-12-6-11.1 stating the counties' minimum allocation and multiplier.

Repeals IC 11-8-3-3, IC 11-12-6-1, IC 11-12-6-3, IC 11-12-6-4, IC 11-12-6-5, IC 11-12-6-8, IC 11-12-6-9, IC 11-12-6-10, IC 11-12-6-11, and IC 11-12-6-12 related to the county corrections fund.

**PUBLIC LAW 248 - SENATE ENROLLED ACT 167 - EFFECTIVE JULY 1, 1999 - ANNEXATION**

Amends IC 36-4-3 and adds IC 36-4-3-2.2 to make several significant changes to the laws governing annexation. The remonstrance period for annexation is extended from 60 to 90 days. These code sites also include some of the changes incorporated into public law 217.

**PUBLIC LAW 254 - SENATE ENROLLED ACT 274 - EFFECTIVE MAY 13, 1999 - PROSECUTING ATTORNEYS**

Amends IC 5-4-1-4 to require the oath of a deputy prosecuting attorney to be deposited in the office of the clerk of the circuit court of the county in which the deputy prosecuting attorney resides or serves.

Amends IC 33-14-1-1.5 to state that to be eligible to hold office as a prosecuting attorney, a person must be a resident of the judicial circuit that the person serves. However, this does not apply to a deputy prosecuting attorney appointed by a prosecuting attorney or a special prosecutor appointed by a court.

**PUBLIC LAW 262 - SENATE ENROLLED ACT 407 - EFFECTIVE JULY 1, 1999 - COUNTY ANIMAL DISEASE CONTROL EMERGENCY COORDINATOR**

Adds IC 36-2-16-10 to require the county executive to designate the county animal disease control emergency coordinator who is responsible for receiving information as to the policy of the State Board of Animal Health on animal disease control matters. The county animal disease control emergency coordinator shall distribute information as directed by the State Board of Animal Health. The Board of County Commissioners shall forward the name of the county animal disease control emergency coordinator to the Indiana State Board of Animal Health not later than 7 days after making the designation.

**THE COUNTY BULLETIN  
and Uniform Compliance Guidelines  
ISSUED BY THE STATE BOARD OF ACCOUNTS**

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**PUBLIC LAW 270 - SENATE ENROLLED ACT 578 - EFFECTIVE JULY 1, 1999 - SHERIFF  
DEPARTMENT**

Amends IC 36-8-10-10 and adds IC 36-8-10-11.1 to allow a sheriff in a county with a population of more than 50,000 to establish temporary administrative ranks and positions and appoint and remove county officers to the temporary positions without the approval of the sheriff's merit board. Provides that a county officer appointed to a temporary position must have served as a county officer in the county for at least 5 years before appointment. Provides that a county officer appointed to a temporary administrative position maintains the officer's rank, grade, or position. Requires a sheriff in a county with a population of more than 50,000 to establish written rules and regulations governing the discipline of county police officers with the approval of the merit board. Establishes seniority rules to be followed when a sheriff reduces the number of employees or fills vacancies after a reduction in force.

**PUBLIC LAW 272 - SENATE ENROLLED ACT 606 - JULY 1, 1999 - COUNTY HOME RESIDENTS**

Amends IC 12-10-6-1 to increase the monthly personal allowance of a resident of a county home who is at least age 65 from between \$28.50 and \$35 to \$50. The personal allowance that a resident would be entitled to retain is \$50 plus one half of the remainder of:

- (1) gross earned income for that month; minus
- (2) the sum of:
  - (A) \$16; plus
  - (B) the amount withheld from the person's paycheck for that month for payment of state income tax, federal income tax, and FICA; plus
  - (C) transportation expenses for that month; plus
  - (D) any mandatory expenses required by the employer as a condition of employment.